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Union Authority, Corporate Obstinacy, and the Grand Trunk Strike of 1910

In mid-July 1910, some 3500 members of the Order of Railway Conductors and the Brotherhood of Railroad Trainmen engaged in a two-week strike against the Grand Trunk Railway of Canada.¹ Accounts of this strike have tended to concentrate upon its violent aspects or its connection with the early career of Mackenzie King.² Yet this episode in the history of the Canadian labour movement is worth looking at for its own sake, not only because of the deep involvement of the Canadian government in the dispute almost from the beginning, but because of the manner in which authority within the two brotherhoods was exercised during the strike, and then gradually undermined during the following two years by a stubborn, unpredictable, and unscrupulous management. Moreover, about seventy-five percent of the strikers were Canadians.³ Did the fact that their unions were 'international', with headquarters in the United States, contribute in any significant way to the problems which the strikers experienced both during the strike and afterwards?

The Conductors' and Trainmen's brotherhoods had established themselves on the Grand Trunk in the 1880's, and began to co-operate with each other in negotiating contracts with the road's management in the early 1890's.⁴ Relations with management were never entirely smooth, given the low wages paid by the perennially hard-pressed corporation. A strike was averted in 1892 only because the railway's conductors voted against it.⁵ After 1896, however, relations took a steady turn for the worse, with the appointment of a new general manager, Charles M. Hays, an American who had learned his railroading on Jay Gould's Wabash system. Like the pragmatic and unprincipled Gould, Hays made no attempt to prevent unions from organizing his employees, but he bargained with reluctance, and moved harshly against strikers. In 1899, he all but destroyed the trackmen's union on the Grand Trunk by refusing to honour the terms of an agreement reached after a hard-fought strike.⁶ By 1900, the conductors and trainmen were experiencing difficulty in negotiating satisfactory contracts, and were looking back to the good old days before Hays. Moreover, wages remained substantially below other North American railways, including the Canadian Pacific. By 1906, Grand Trunk conductors and trainmen had come to the conclusion, as had some other unionists, that "the only way to deal with . . . Hays is without gloves."⁷ In early 1907, they affiliated with the Eastern Association of General Committees, a conductor's and trainman's organization which proposed to present a standard contract to all the railways in the northeastern part

of the continent.⁸ This action put the Grand Trunk's conductors and trainmen squarely on a collision course with management.

In late 1909, after delays occasioned by depressed business conditions in 1907 and 1908, the Eastern Association wage movement got under way, and in early 1910, the Association's model contract was presented to the Grand Trunk management. Company executives, however, rejected the contract, and refused to discuss the matter with the brotherhood committee of adjustment. Following standard procedure, the committee thereupon called upon union headquarters for assistance, bringing into the dispute the Canadian vice-presidents of the two unions, Samuel N. Berry of the Conductors, and James Murdock of the Trainmen.⁹

The office of Canadian vice-president was a recent innovation in the two brotherhoods, and was an attempt to symbolize the distinctive national status of the unions' Canadian members and offset anti-American propaganda aimed at international unions operating in Canada.¹⁰ The new office, it should be noted, did not mean that the Canadian 'wings' of the two brotherhoods had acquired a measure of autonomy. Instead, Berry and Murdock were elected by the unions' memberships as a whole, which had substantial American majorities, and they exercised power as delegates of the unions' presidents, not the Canadian members, in the same manner as any other vice-presidents in their organizations.¹¹ As such, however, they were in a position to bring the full pressure of their organizations to bear upon the Grand Trunk management, if they chose.

While Grand Trunk officials were willing to discuss matters with Berry and Murdock, they still refused to concede the committee's demands. The unions therefore decided to invoke the Industrial Disputes Investigation Act (IDIA), a federal statute which provided for the compulsory investigation of a labour dispute by an investigating board. This action required a strike vote, however, and when the vote showed a ninety-six percent support for a strike, the committee were all for "using that vote" and going on strike immediately, in defiance of the law and against the advice of Berry and Murdock. Union presidents A.B. Garretson and Bill Lee were forced to intervene, and order the committee not to "hurry the game" but to go through the correct legal channels.¹²

The ensuing investigation, however, did little more than emphasize the extent of the rift between the company and the men. The company representative on the three-man investigating board on the one hand was willing to concede an immediate wage increase of fifteen percent, but little else. On the other hand, the board chairman and the union representative recommended an immediate wage increase of eighteen percent, and the eventual adoption of the Eastern Association scale, for a total increase of forty-two percent. The board majority also recommended the payment of wages on a mileage basis, and a new set of work rules.¹³ The union committee, however, wanted the immediate adoption of the Eastern Association rates, and found the board majority's recommendations as unacceptable as the company's.¹⁴

From the committee's point of view, the investigation had merely wasted a great deal of time. It was now late June. With one or two exceptions, the Eastern Association's negotiations with American railways were going smoothly and promised success shortly. Moreover, concurrent negotiations with the Canadian Pacific, while bitterly argued on both sides, were also moving towards a settlement. The Grand Trunk committee could only view these signs of success elsewhere with increasing frustration and anger.¹⁵

President Hays had come to a similar conclusion about the pointlessness of the IDIA investigation. During the hearings, in fact, he had asked Prime Minister Laurier to force a settlement by means of binding arbitration. Laurier had declined to commit himself until the investigation had ended.¹⁶ When the hearings were over, Hays repeated his request, and this time Laurier flatly refused. Canadian law did not provide for compulsory binding arbitration, he told Hays' emissary, and added that it was time for the Grand Trunk to start "paying the same wages as its competitors."¹⁷

Spurned by the government, and increasingly concerned about the possibility of a strike, Hays decided to make further concessions to the union committee. On 8 July, he made a proposal which approximated the recommendations of the IDIA majority report, and offered, moreover, to submit any disputed points to binding arbitration by a board "composed of experienced railway men," a method recently accepted by the Eastern Association to settle some of the disputes in the United States. This was a reasonable proposal, and it might have effected a settlement a year or two earlier. But it was now too late. The committee brusquely rejected it, and began to conduct a strike vote — a real one this time.¹⁸

Hays once again approached the government with a request for arbitration. This time he was turned down by Labour Minister Mackenzie King, who did not want to force it upon the unions.¹⁹ On 16 July, the last of the strike votes were counted, and showed ninety-eight percent support for a strike. The union committee thereupon prepared a final proposal for Hays, and set the time for a strike: 9:30 p.m. on the 18th. At the same time, vice-president Murdock promised to give King an opportunity to intervene if the last-minute negotiations failed.²⁰

These negotiations went badly. The committee clearly doubted Hays' sincerity, and rejected a final offer of an immediate eighteen percent raise, plus a promise to bring wages up to the Eastern Association levels by 1 January 1913.²¹ Murdock told King on the phone that he believed Hays was "really determined to beat the men, and had been pressing for that believing that he would be able to break the strike in a short time." Trying to forestall the inevitable, King asked Murdock for a twelve-hour delay in the strike to give the government the chance to buy off the company, perhaps by an increase in the mail subsidy, but Murdock refused. Perhaps he felt that the committee would not accept a further delay; probably he was anxious for a showdown with Hays himself. He told King

that "nothing could be more disastrous to a strike than a hesitation or a delay at the outset." The men went out on schedule, at 9:30 p.m.²²

The strike was to last for just over two weeks. For several days after the beginning of the strike, Labour Minister King attempted to end the strike by means of government-sponsored arbitration. After several days of back-and-forth correspondence, he swung Berry and Murdock over to this position, but Hays (who had persistently called for arbitration before the strike) could not be persuaded. On 24 July he rejected arbitration, and promised a fight to the finish, declaring that "it is only necessary that we should have the protection to which we are entitled to enable us to resume the full operation of the road."²³

Events had already shown that such protection might be needed. On 21 July and again on the 22nd, mobs at Brockville attacked strikebreakers and ignored orders of local authorities to disperse. The militia was called out to restore order, and was replaced on 26 July by a unit of the regular army. Yet these events were the only serious violent episodes of the strike (at least on the Canadian side of the border). More common was simple vandalism and the hurling of epithets and rotten vegetables. Sam Berry was out on the line supervising the strike, and was fairly successful in his efforts to prevent strikers from taking direct action against the company or taking part in illegal picketing. From the union point of view, it was simply a case of waiting to see whether the company could hire enough replacements to resume normal operations.²⁴

By the second week, some of the strikers saw indications that the company was enjoying success in this direction, at least on the main line. Indeed, Murdock had become concerned as early as 21 July, and had wired presidents Lee and Garretson to "come on the line" to give "additional prestige and experience." Action on this request was deferred, pending word from Berry.²⁵ On 22 July, the company ran its first through freight since the 18th, and by the 25th, freight was being moved at various points on the main line, sometimes in considerable quantity, although branch line traffic was still very much disrupted. Passenger service had never been seriously interrupted, and on 25 July the company re-opened its shops all along the line.²⁶ Sam Berry finally decided to call union headquarters for help. Lee and Garretson responded at once, arriving in Toronto the next day. Watching from the sidelines in the United States, they had begun to suspect that the strike could not be won — at least not within any reasonable length of time, or without running a serious risk of a break in the ranks. What they saw and heard in Toronto confirmed their suspicion. They immediately sent a request to Hays to re-open negotiations.²⁷

Shelving his plans for a fight to the finish for the time being, Hays agreed to meet the two presidents on 27 July. The company was also beginning to feel the pinch: the cost of fighting the strike was already over the half-million dollar mark, a substantial sum for the perennially impecunious road.²⁸ At the meeting, the two presidents offered Hays fairly attractive terms: an immediate raise of eighteen percent, in return for the arbitration of other disputed points, including

the date of standardization of wage rates and rules to Eastern Association or CPR levels.²⁹ Since these terms involved little more than what Hays had offered on the eve of the strike, he might have accepted them but for one additional demand of the presidents — that all the strikers automatically be returned to work at the end of the strike. As was to become all too obvious subsequently, Hays placed a high value on employee loyalty, and the mere thought of reinstating ‘disloyal’ strikers filled him with revulsion. He refused to be “pinned down” on reinstatement suggesting that this question should also be submitted to arbitration, and the meeting broke up with nothing achieved.³⁰

Significantly, Canadian vice-presidents Berry and Murdock were absent from the meeting of 27 July. Garretson later explained that they had been left “at home” because of the “unfriendly relations” between them and Hays “growing out of the strike.”³¹ But their absence also showed that, once having called in the union presidents, they no longer possessed any actual power, and no longer had an important role to play in the strike. As Garretson told Mackenzie King on 29 July,

whatever he (Garretson) and Mr. Lee agreed to would be done, that he had the final say in matters, and that Berry and Murdock would carry out whatever he agreed to. He also said that whatever he undertook should be carried out; I (King) might be assured he was prepared to stand by it, and could tell Mr. Hays so.³²

The failure of the 27 July meeting apparently persuaded Mackenzie King to become directly involved as a mediator in the dispute. The federal cabinet had already sent an emissary to Hays in the person of Minister of Militia Sir Frederick Borden, urging him to consider either negotiation or arbitration.³³ But Borden had no experience as a labour negotiator, nor was he likely to be acceptable to the strikers, whereas King had successfully intervened in a number of labour disputes since coming to the Department of Labour in 1900. King discussed the matter on the phone with a union contact in Montreal (probably James Murdock) and wangled an invitation from the union committee to come to Montreal. Vice-president Murdock thereupon wired Lee and Garretson, who had gone back to Toronto, to return immediately, since “the Minister of Labor was getting into the game.”³⁴

King discovered on his arrival in Montreal that he had gauged the situation correctly — that both sides were only too anxious for an end to the strike. He had come prepared to offer Hays an increase in the Grand Trunk’s mail subsidy, but this proved unnecessary as Hays readily agreed to further negotiations. On the union side, King found that the strike committee and James Murdock had all but given up hope of victory. Their pre-strike bellicosity had evaporated completely, and they were now mainly concerned with “getting all the men back to work . . .” They had, King discovered, abandoned all pretence of exercising any real authority. They could be prodded into formulating proposals to be presented to the company, but they wanted their international presidents to accept the responsibility for the final settlement. This simplified things con-

siderably for King. It was now mainly a matter of arranging some sort of compromise between Hays and the two presidents.³⁵

Under these circumstances, it was almost entirely Hays' fault that the strike was not settled immediately. As was to become abundantly clear over the next few days, the president of the Grand Trunk was quite unfitted temperamentally to be a negotiator in a labour dispute, and may even have begun to crack under the strain of coping with a strike in addition to his other responsibilities. Despite Hays' freely-expressed desire for a settlement, all King's persuasive skill was required to bring him face-to-face with Garretson and Lee on 29 July. Berry and Murdock were again absent from the negotiations, and this may have contributed in some measure to the progress which was made at first. By supper-time, agreement had been reached on most disputed points. Wages were to be raised by eighteen percent, retroactive to 1 May 1910, and the new CPR wages and rules would be introduced on 1 January 1912, one year earlier than Hays' last offer before the strike. Hays also agreed to reinstate all the strikers "as soon as possible." The harried president clearly wanted an end to the strike, since bringing in the much higher CPR rates (about forty-two percent higher than the Grand Trunk rates) a full year sooner would involve the corporation in substantial additional expenditures. Yet, that evening, when negotiations resumed, Hays sabotaged further discussions with a singular display of erratic behaviour. At first, he seemed willing to accept a thirty-day time limit on reinstatement, and left the room to prepare a draft of the final agreement. The document he returned with, however, differed significantly from the propositions agreed to that afternoon. The bewildered unionists objected, and Hays, admitting that "clearly there was an error," corrected most of the 'mistakes' in the document. On one point, however, he refused to 'correct' himself. He would not bind the company to any time limit on reinstatement. He turned a deaf ear to Borden's request to name any time limit, even "a year or more." He rejected the union presidents' proposal to let King and Borden name a suitable time limit. Finally, the discussion became heated and Hays left the room "in a very excited condition." His subordinates apologized to the two cabinet ministers, explaining that Hays "was not himself," and should not be judged too hastily. But hopes for an immediate settlement had been dashed.³⁶

Early the next day, Garretson and Lee assured King that they would end the strike as soon as Hays formally accepted the terms hammered out the day before, and promised a specific time limit on reinstatement.³⁷ King, together with Borden, then visited Hays, finding the mercurial executive once again in an accommodating mood. Hays signed a typed copy of the terms, and committed himself verbally to reinstate within ninety days all the strikers not guilty of acts of violence or other misdemeanours. He stipulated only that the government provide employment for strikebreakers displaced thereby, which King and Borden found "most reasonable." At this point, however, Hays' mood changed again. When confronted with this commitment in the form of a written draft, he declared testily that he had promised to take back only as many men as he could, while the government had agreed to look after the rest. When the dumbfounded

cabinet ministers objected, he "went into a sort of rage" and demanded the signed agreement back. King and Borden refused, and after a short but bitter exchange, the meeting broke up.³⁸ King tried to put the best face on the matter for Garretson and Lee: Hays had signed the agreement, King pointed out, and would almost certainly agree shortly to a time limit on reinstatement as well. The two unionists were satisfied and signed the agreement themselves. The strike would end, they said, as soon as they had positive guarantees on the reinstatement matter. King assured them that this was largely a formality, and promised to make the necessary arrangements.³⁹

His efforts for the next two days were devoted to making good on his promise. The erratic Hays was by turns reasonable and difficult, and ultimately capitulated only because King promised, not only that the government would provide employment for displaced strikebreakers for at least sixty days, but that this undertaking would apply to American employees of the company as well as Canadians. This agreement (which understandably was to be confidential) would be committed to paper and signed by representatives of the government and the company.⁴⁰

King obtained cabinet approval for this agreement on 2 August, and the document was duly signed by both parties.⁴¹ King immediately telephoned the strike leaders in Montreal. As a matter of form, he spoke to vice-president Murdock first, because "you are a Canadian, and as a Canadian Minister, I think it better we should have our negotiations this way." He asked Murdock to "explain" this to Garretson and Lee. The two presidents agreed to call the strike off immediately, and to keep the company-government agreement confidential except for the ninety-day deadline. They were quite clearly satisfied with King's arrangements. What could be better than the government guarantee of the most important part of the strike settlement? Within two hours they were able to assure King that the strike had officially ended everywhere on the Grand Trunk system.⁴²

The strike was over, but the controversy had just begun. The strikers soon discovered that the settlement promised them few immediate wage benefits that they could not have obtained without striking. Even worse, for reasons that were not entirely clear, pensions were not mentioned in the agreement, and on 3 August, the company's Pension Committee "cancelled" the pensions of all the strikers.⁴³ This was a harsh blow for the older men, some of whom had been with the company for many years. But the greatest source of dissatisfaction among the strikers was the refusal of the company to take everyone back immediately, especially since there were indications that some strikers would not be rehired at all. At Stratford, Ontario, for example, the trainmaster declared that as many as forty percent of the strikers on his division would not be taken back, since there were no vacancies. Elsewhere, conductors reported for work in uniform, and were told to return home because their places had been filled. In some cases, superintendents were clearly bent on revenge against strikers who had offended them during the strike. In other cases, officials took the opportunity to weed out

the old, the disabled and the incompetent: one employee with forty years' service was refused reinstatement because he had rheumatism and was blind in one eye.⁴⁴

The strikers blamed their leaders for this state of affairs, especially Canadian vice-presidents Berry and Murdock. "Brother Berry's personal safety was at stake to mingle with the men in and around Toronto," one union official later reported.⁴⁵ Fortunately for the two vice-presidents, the majority of the strikers were taken back within a week or two, and this considerably reduced the level of dissatisfaction. Berry and Murdock assured the remainder of the strikers that the company was merely exacting its pound of flesh, and would take everyone back before ninety days were up.⁴⁶

Yet when the deadline passed several hundred men were still out of work, and it was quite evident that the company had no intention of honouring its obligation to take these men back. Instead of complaining directly to Hays, however, Berry and Murdock wired Mackenzie King in Ottawa to remind him of the government's responsibility "for seeing that Mr. Hays carried out the terms of the settlement in reference to the men's return."⁴⁷ The government's response was disappointing. King himself seems to have wanted to put real pressure on the Grand Trunk, but Prime Minister Laurier had been privately critical of the arrangements which King had made to end the strike, and would go no further than authorizing a telephone call to Hays expressing the government's dissatisfaction.⁴⁸ This action, understandably, had little effect on the thick-skinned Hays, and he promised only to interview aggrieved employees personally.⁴⁹ Since this solution to the problem was completely unsatisfactory to Berry and Murdock, King then asked Hays and the two vice-presidents if they would accept an independent investigation into individual cases of non-reinstatement by an experienced mediator in labour disputes, Judge John A. Barron, of Stratford, Ontario.⁵⁰ Hays refused outright, and King drew up a formal request for a royal commission.⁵¹ Again Laurier exercised his veto. The Prime Minister contented himself instead with a promise from Hays to set up a "committee" of investigation, consisting of Hays and two company officials.⁵²

It was now early December, over four months since the end of the strike, and the general grievance committee of the two unions decided to take a hand themselves in the matter, by confronting Hays directly. Their meeting with Hays found him at his contemptuous worst. He refused to listen to the committee's arguments, and told them to be glad that they had got their own jobs back. As far as he was concerned, he declared, there were presently three classes of men on the Grand Trunk: the first-class men, who had refused to strike in July 1910; the second-class men, who had come to the aid of the company during the strike; and, far to the bottom, in the third class, the returned strikers. Infuriated, and perhaps frightened as well, the committee immediately sent a delegation to Ottawa to demand, at the very least, a royal commission.⁵³ The delegation was met personally by Laurier. He again rejected a royal commission, but promised to do everything he could to rectify the situation. He had every reason to move quickly, since the Opposition in Parliament had by now got hold of the matter.⁵⁴

Laurier's solution to the problem, however, left something to be desired. He promised to consider releasing some blocked funds necessary for the construction of the Grand Trunk Pacific, in return for an investigation of the reinstatement problem by Judge Barron, to be conducted under company auspices and at company expense.⁵⁵ What the Prime Minister negotiated, in other words, was an investigation by the Grand Trunk of itself, since Barron's findings would become company property, to be acted upon as the company saw fit — if it saw fit. The full implications of this shabby arrangement were not immediately apparent to the general public or the strikers. One labour newspaper, in fact, hailed the investigation as a "somersault" on Hays' part.⁵⁶ The leaders of the brotherhoods may have been more perceptive. President Garretson declared in January 1911:

Should the result of the investigations which His Honor, Judge Barron, is now conducting prove favourable, we can afford to accept his findings. Should they not meet with the requirements of settlement, we are still in a position to contend for a literal adherence to the terms of settlement, as we have not agreed to accept his findings.⁵⁷

It seems fairly clear that the union presidents were no more anxious for a genuine confrontation with Hays at this time, over this issue, than was Laurier.

A policy of wait-and-see, however, did not satisfy for long the rank-and-file of the two unions on the Grand Trunk, and signs of discontent soon began to become apparent. In early March, for example, conductors and trainmen in London, Ontario, distributed a circular which strongly condemned the 1910 strike settlement and the subsequent ineffectiveness of the chief executives of their unions.⁵⁸ Late in April, Berry and Murdock finally decided that stronger actions were needed, but by now the situation was beginning to get out of hand. When they attempted to have the reinstatement problem investigated under the terms of the IDIA, they found they had so completely "lost influence" among the local officers of the two unions on the Grand Trunk that they were unable to obtain the necessary signatures on the application for the Board of Investigation.⁵⁹

Rank-and-file dissatisfaction came out in the open at the regular biennial conventions of the two unions in May 1911. At the conductors' convention, the unions' chief executives were the target of strong criticism for having negotiated a shamefully inadequate settlement, and for accepting "what we would call b—— s—— and a dose of taffy once in a while" from the government on the reinstatement question. Sam Berry was challenged for the office of Canadian vice-president by one of the dissidents — a move which required the support of American delegates, since only 47 of the 596 delegates came from Canadian divisions of the Order. The majority of the delegates, however, apparently agreed with a delegate from Connecticut, who could see no point in having Berry "thrown out simply because there has been some trouble somewhere," and he won easily, 450 votes to 146. The dissident candidate did not even receive the support of the majority of the Canadian delegates. Clearly, the Grand Trunk

strike had not split the Order of Railway Conductors along national lines, whatever it might have done to disrupt union authority on the Grand Trunk.⁶⁰

At the Trainmen's convention, Murdock and Lee were likewise subjected to criticism for their role in the Grand Trunk affair. Lee was able to sidetrack this criticism, however, by linking it with charges against the railway brotherhoods which had appeared recently in the official newspaper of the American Socialist Party. Laid by an ex-official of the trainmen's union, these charges included, among other things, the claim that the Grand Trunk strikers

had the company licked to a finish, when President Lee and Garretson rushed to the rescue of the company and negotiated one of the most shameful settlements in the history of the Brotherhoods . . .⁶¹

At Lee's urging, the convention delegates angrily rejected this claim and branded critics of the Grand Trunk settlement as radical and obstructive. Murdock was re-elected vice-president for Canada with no significant opposition.⁶²

The 1911 conventions had defused rank-and-file dissent within the two brotherhoods for the time being. Yet the reinstatement problem remained unsolved, and with it the possibilities of further rank-and-file insurgency. With some relief, therefore, Murdock learned in late May that Barron had completed his investigation and had rendered an unfavourable decision against less than half-a-dozen of the unreturned former strikers. Barron informed Murdock personally that the company had promised to return everyone else to service "at once."⁶³

But Barron had been misinformed. The company took no action on his report. Indeed, when Labour Minister King contacted the company's head office, he discovered that the report had mysteriously vanished. Hays denied that he had seen it, or knew where it was. King then asked Barron for a duplicate draft, to learn that Barron had not kept one. It was not until early August, after further prodding from King, that Hays gave in and wired Barron to come to Montreal, since the 'missing' report had been found. After Barron had gone over his data with company officials, the Grand Trunk agreed to reinstate a further 91 of the unreturned strikers by 2 September. But 2 September came and went, with these men still out of work. It was all too obvious that the company had never had any intention of acting upon the investigation.⁶⁴

Three weeks later, the Laurier government lost the general election, and Mackenzie King was personally defeated in his riding. The Grand Trunk strike was probably a factor in King's defeat.⁶⁵ He had received the official endorsement of the conductors' and trainmen's unions, and Murdock had enthusiastically supported King on the hustings. But Sam Berry was noticeably less active on King's behalf. At the conductors' convention in May, indeed, he had admitted the possibility that King might "bunco" the brotherhoods on the reinstatement question,⁶⁶ and these doubts about King's trustworthiness were probably shared

by other Canadian unionists as well. In any case, the railway brotherhoods now had to deal with a new, Conservative Minister of Labour, Thomas W. Crothers, a lawyer from St. Thomas, Ontario.

The "gentle-mannered" Crothers was not noted as a forceful advocate of the labour movement.⁶⁷ The brotherhoods therefore decided to abandon politics for the time being, and try a different solution to the reinstatement problem: united action by all four train service unions by means of a 'System Federation'. Before World War One such a federation took the form of a formal alliance of all the train service brotherhoods on a railway system, according to a general plan conceived in the 1890's, and modified somewhat after 1900. There were a number of such federations in the United States, and the Canadian Northern Railway had been organized in this fashion since 1902.⁶⁸ System Federation on the Grand Trunk in 1911, however, could not be accomplished. Perhaps the other brotherhoods did not want to be dragged into the conductors' and trainmen's dispute with the company. After several months' effort, the Grand Trunk firemen, with some reluctance, agreed to "assist" the conductors and trainmen informally in their dispute with the company. But they would go no further. This was a major defeat for the conductors and trainmen, since Hays might have been forced to make concessions if faced by the threat of a breach with all the train service employees on the Grand Trunk.⁶⁹

Taking what comfort they could from the firemen's offer, however, the conductors' and trainmen's joint committee decided in early December to approach President Hays once more. There was now an additional reason for concern. In view of the circumstances, would the company introduce the CPR rates and rules on 1 January 1912 as promised in the strike settlement? The committee found the unpredictable Hays in an affable mood. He assured the committee that the CPR rates and rules would go into effect as promised, and asked the committee to submit a list of cases of non-reinstatement to the company's transportation manager for consideration. When January 1 came, moreover, Hays proved to be as good as his word on the rates and rules. With renewed hope, the committee set about preparing the required list.⁷⁰

The committee was soon faced, however, with jolting evidence that Hays had not yet forgiven the strikers of 1910. In early January 1912, in accordance with the new CPR rules, the company posted its seniority lists, and the returned strikers found to their dismay that their seniority was dated from the time that they had been rehired after the strike. Moreover, since they had not been taken back in order of seniority, some men with many years' service were far down the list.⁷¹ This action was a flagrant violation of the company's pledge to place the men "back in their former positions" after the strike, and was a potential threat to the livelihood of many of the former strikers, since seniority normally determined who got the best runs, the highest wages, and the most regular work.⁷² Company officials promised the men that there would be no mass re-shuffling of positions.⁷³ But, after the events of the past two years, who could be sure of this? The brotherhood rank-and-file and the joint committee were shaken to the core.

The result was virtually what the chief executives of the brotherhoods had feared since the second week of the strike in 1910. At a meeting on 17 February with the company vice-president in charge of operations, and without notifying brotherhood headquarters, the brotherhood committee signed an agreement which represented almost a complete surrender to the company. The company made two concessions: the ex-strikers would regain the seniority among themselves that they had had before the strike (although their seniority would still date from the end of the strike), and the company would take back 10 of the 138 men who were still not back to work. In return, the committee agreed that these concessions would constitute a final settlement of all "the various questions at issue" in connection with the strike.⁷⁴

The committee members were well aware that this agreement of 17 February amounted to a sell-out of their un-reinstated fellow workers, in return for the preservation of their own positions.⁷⁵ President Lee of the Trainmen, in fact, later denounced it angrily as a sacrifice of the "Outs" for the "Ins."⁷⁶ Yet the committee's action is easy enough to understand. Neither their unions' chief executives nor the Canadian government had given them any real help since the strike, nor was there any indication that things would improve. It made good sense to make peace with Hays, even on Hays' terms.

Events soon showed, moreover, that the committee was willing to go to considerable lengths to preserve this peace. On 29 February, the company announced, first, that the wage increases of 1 January would be revoked on the company's branch lines, effective 1 April, and second, that the CPR work rules which had established minimums for the numbers of conductors and trainmen on trains in passenger and yard service would be "eliminated from the schedule."⁷⁷ Although the CPR rules and rates could legally be altered by the company on thirty-days' notice,⁷⁸ this was a clear violation of the spirit of the 1910 agreement, and broke a specific promise made to the union committee in December 1911. Union headquarters advised the committee to apply for an IDIA board of investigation. This would, at the very least, have the effect of freezing wages and rules until the investigation was completed. But the committee chairman rejected this advice, and only about half of the committee members responded to a request by Berry and Murdock for a special meeting to discuss the matter. At the meeting, committee chairman John Maloney took Murdock and the other chief executives of the brotherhoods to task for "interfering with the Grand Trunk situation," and the members present voted 20 to 9 against an investigation. They explained to Murdock that "Grand Trunk officials would not like the committee to take such action." Instead, the committee voted to adjourn to Montreal "for the purpose of entering into negotiations with Grand Trunk officials."⁷⁹

It soon became apparent, in fact, that the committee was by now completely under the thumb of the company. In late March, Berry and Murdock appealed once more to the Department of Labour to do something about the reinstatement problem. They found Labour Minister Crothers in an uncharacteristically

belligerent mood. He had been corresponding with President Hays since November about the reinstatement matter, and had been getting nowhere. Hays had even refused to supply Crothers with a copy of Judge Barron's report, and had denied that the company had any obligation to take back any more ex-strikers.⁸⁰ Angered by this arrogance, and mindful perhaps of the numerous railway workers in his home riding, Crothers had decided upon an unusual tactic. He told Berry and Murdock that he planned to force the reinstatement of the ex-strikers by blocking the passage through Parliament of a Grand Trunk money bill (a private bill, No. 130) until they were taken back.⁸¹

With the support of Minister of Railways Frank Cochrane and other MP's, Crothers persuaded the Commons' Railway Committee to approve the bill only on the understanding "that it will not pass in the House unless the company reinstates its men."⁸² Several days of negotiations between Crothers and Grand Trunk officials followed, in which neither side would give way. Finally, the day before Bill 130 was to appear in the House, Grand Trunk vice-president Wainwright decided that Crothers could not be stopped by conventional means, and wired committee chairman Maloney to come to Ottawa immediately.⁸³ Maloney and a second committee member arrived promptly the next morning. They refused to listen to an appeal by Berry to stand firm,⁸⁴ and that afternoon, after lunch with Wainwright at the Rideau Club, had an interview with Prime Minister Borden. The two unionists told Borden that they did not want Bill 130 blocked, since the 17 February agreement had settled all outstanding differences with the company. Borden found the two men "exceedingly reasonable" and decided to intervene in the dispute. At the close of the House debate on Bill 130, he rose to assure the House that the reinstatement question had been settled by the company's employees in February. The bill was thereupon passed.⁸⁵ The capitulation of the union committee in February had paid the Grand Trunk an unexpected but welcome dividend.

The Bill 130 affair was merely the most bizarre episode in the Grand Trunk's lengthy struggle to free itself from the more annoying features of the 1910 strike settlement. The company had wriggled out of its obligation to rehire all of its 'disloyal' employees and had asserted the right to set wages and make rules in defiance of the conductors' and trainmen's brotherhoods. Indeed, it had come close to asserting, as a principle, the right to ignore or modify agreements with the two unions at will. The company accomplished this in the face of government disapproval. In short, what might have been called a qualified victory for the strikers in 1910 now looked like a defeat in April 1912,⁸⁶ and this was signified by the servile behaviour of the conductors' and trainmen's joint committee. Taken altogether, this was no mean achievement, and the principal factor was unquestionably Hays' stubborn character and devious personality. Although Hays could not have devised all the company's tactics, and was, in fact, in England during the Bill 130 affair, his subordinates undoubtedly knew what he wanted, and knew they could count on his support.

Two weeks after the passage of Bill 130, Hays' guiding hand was gone, as a result of the *Titanic* disaster. The new management lacked Hays' stubborn deter-

mination and, from the point of view of the brotherhoods, the reinstatement situation "commenced to improve" almost immediately. Refusing to be bound by the agreement of February 1912, Thomas Crothers continued to put pressure on the company. By the end of 1912, all of the ex-strikers were back to work, except for a few who were physically unfit. Company officials even agreed to pay three months' back wages as a partial restitution for the time spent off the job.⁸⁷ Except for the loss of pensions by the strikers — a wrong which was not righted for another decade⁸⁸ — the last remains of the Grand Trunk strike of 1910 had been finally laid to rest.

Despite this relatively happy ending, the Grand Trunk strike and its aftermath clearly represented a defeat for the conductors' and trainmen's unions. The settlement was a compromise designed primarily to bring a quick end to the strike, a bargain which no one found entirely satisfactory, least of all the strikers. Yet the strike might have been counted as a qualified victory for the strikers, because of the considerable increase in wages promised by January 1912, if the settlement had not been violated from the first by the company. In violating the settlement, moreover, the Grand Trunk also undermined not only the authority of the men who had negotiated it for the strikers, the presidents of the unions, but the authority of vice-presidents Berry and Murdock as well. Berry and Murdock, indeed, had a species of rough justice meted out to them by President Hays. They had sanctioned the strike in the first place, then had left the settlement of it in the hands of others. Afterwards, they were faced with the task of making the settlement work. That this was an impossible task was, of course, partly the responsibility of the Laurier government which failed to live up to its own obligations to the strikers. The fact that the brotherhoods were international organizations probably was not a significant factor in the strike's failure. Hays had no more respect for national unions than for international ones, as he had demonstrated a decade earlier, during and after the strike of the all-Canadian United Brotherhood of Railroad Trackmen. Indeed, the greater strength of the international brotherhoods probably prevented them from suffering the fate of the trackmen's union. Moreover, critics within the brotherhoods of the 1910 strike did not regard it as a failure of international unionism, but as a failure of nerve — of their own leaders and the Canadian government. Indeed, if any organizational defect contributed to the strike's failure, it was not internationalism, but a system of organization which, first, divided railway labour into separate unions, ensuring that the Grand Trunk never had to face the concerted pressure of all its employees, and second, over-centralized power in the hands of the union presidents.⁸⁹ It was probably a mistake for Garretson and Lee to end the strike without seeking the strikers' approval of the settlement, even though this action was 'legal' in terms of their unions' constitutions.⁹⁰ When all is said and done, however, it is questionable that any system of union organization could have enjoyed real success in Canada before World War I, when faced by an employer as petty, as stubborn, and as untrustworthy in labour matters as was President Hays of the Grand Trunk.

NOTES

¹Tallies of the number of strikers vary. The Toronto *Globe*, 21 July 1910, gave an 'official' total of 3450, which included 350 Central Vermont employees. About 4500 shop workers were also idled by the strike, but were back to work by 25 July. *Globe* 21, 25 July 1910.

²See R. MacGregor Dawson, *William Lyon Mackenzie King; A Political Biography*, Vol. 1: 1874-1923 (Toronto, 1958) pp. 209-212; H.S. Ferns and B. Ostry, *The Age of Mackenzie King; The Rise of the Leader* (London, 1955), pp. 99-145; Stuart Marshall Jamieson, *Times of Trouble: Labour Unrest and Industrial Conflict in Canada, 1900-66* (Ottawa, 1968), pp. 78-79.

³Public Archives of Canada (PAC), William Lyon Mackenzie King Papers, MG26J, Series 4, Vol. C13, file 81, pp. C9277-9278.

⁴Joseph Hugh Tuck, "Canadian Railways and the International Brotherhoods; Labour Organization in the Railway Running Trades in Canada, 1865-1914" (unpublished Ph.D. thesis, University of Western Ontario, 1975), Chaps. IV-V.

⁵Brotherhood of Railroad Trainmen, *Proceedings of the First Biennial Convention*, 1893, "Grand Master's Report," p. 34. Further references to the convention proceedings of this union will appear as BRT *Proceedings*.

⁶Tuck, "Canadian Railways," pp. 185-191.

⁷Brotherhood of Locomotive Firemen and Enginemen, *Proceedings of the Eleventh Biennial Convention*, 1908, "Grand Master's Report," p. 110; Order of Railway Conductors, *Proceedings of the Grand Division of the Order of Railway Conductors*, 1911, p. 648. Further references to the convention proceedings of the latter union will appear as ORC *Proceedings*.

⁸ORC *Proceedings*, 1911, pp. 666-667; James William Kerley, "The Failure of Railway Labor Leadership; A Chapter in Railroad Labor Relations, 1900-1932" (unpublished Ph.D. thesis, Columbia University, 1959), pp. 49-53.

⁹ORC *Proceedings*, 1911, pp. 666-667.

¹⁰Tuck, "Canadian Railways," Chap. VIII.

¹¹*Ibid.*

¹²BRT *Proceedings*, 1911, "Vice President's Annual Report, 1910," pp. 458, 465; *ibid.*, "President's Annual Report, 1910," p. 351; ORC *Proceedings*, 1911, p. 751.

¹³Canada, Department of Labour, *Fourth Report of the Registrar of Boards of Conciliation and Investigation of the Proceedings under the Industrial Disputes Investigation Act*, 1907 (Ottawa, 1911), pp. 133-139, 142-143.

¹⁴BRT *Proceedings*, 1911, "Vice President's Annual Report, 1910," pp. 459-460; *ibid.*, "President's Annual Report, 1910," p. 351-352.

¹⁵Edwin Clyde Robbins, *Railway Conductors; A Study in Organized Labor* (New York, 1914), p. 175; *Railway Conductor*, July 1910, p. 553.

¹⁶PAC, Sir Wilfrid Laurier Papers, MG26G Vol. 638, Mackenzie King to Laurier, 4 August 1910.

¹⁷King Papers, J4, Vol. C13, file 81, pp. C9145-9146, Gerald H. Brown, "Memorandum re interview with Mr. William Wainwright — and interview between Mr. Wainwright and the Prime Minister in matter of Grand Trunk Railway trainmen's dispute (confidential)," 25 June 1910.

¹⁸*Ibid.*, Vol. C13, file 81, pp. C9132-9133, Berry and Murdock to Hays, 8 July 1910; Laurier Papers, Vol. 638, King to Laurier, 4 August 1910; ORC *Proceedings*, 1911, p. 671.

¹⁹King Papers, J4, Vol. C13, file 81, pp. C9131-9135, Hays to King, 13 July 1910, King to Hays, 15 July 1910, and Gerald H. Brown to Berry and Murdock, 14 July 1910.

²⁰ORC *Proceedings*, 1911, pp. 671-672; King Papers, J4, Vol. C13, file 81, p. C9148, King, "Memorandum Re G.T.R. Dispute," 16 July 1910.

²¹King Papers, J4, Vol. C13, file 81, p. C9149, King, "Memo. re GTR. Dispute," 18 July 1910; BRT *Proceedings*, 1911, "Vice President's Annual Report, 1910," p. 462.

²²King Papers, J4, Vol. C13, file 81, pp. C9150-9151, King, "Memo. Re G.T.R. Dispute," 19 July 1910.

²³*Ibid.*, Vol. C13, file 81, pp. C9141, 9143, Murdock to King, 22 July 1910, and Hays to King, 24 July 1910.

²⁴Toronto *Globe*, 21, 22, 23, 25 July 1910.

²⁵BRT *Proceedings*, 1911, "Vice President's Annual Report, 1910," p. 462.

²⁶Toronto *Globe*, 23, 25, 26 July 1910; Stratford *Daily Herald*, 23 July 1910.

²⁷BRT *Proceedings*, 1911, "Vice President's Annual Report, 1910," p. 462; *Ibid.*, "President's Annual Report, 1910," p. 354; ORC *Proceedings*, 1911, pp. 673, 676, 753.

²⁸*Labour Gazette*, August 1910, p. 198.

²⁹The CPR had settled with the two brotherhoods on 21 July, on terms which Murdock later described as "satisfactory." BRT *Proceedings*, 1911, "Vice President's Annual Report, 1910," p. 465.

³⁰Toronto *Globe*, 28 July 1910; ORC *Proceedings*, 1911, pp. 753-754; King Papers, J4, Vol. C13, file 81 pp. C9160-9175, unsigned typescript memorandum, 28-30 July 1910. Although unsigned, the last-named was obviously written by Mackenzie King. It is a day-by-day account of the first three days of the negotiations which ended the strike, and differs in some respects from King's report to Laurier after the strike (Laurier Papers, Vol. 638, King to Laurier, 4 August 1910), containing more detail and less self-justification. It will be referred henceforth as King, "Strike Memorandum."

³¹ORC *Proceedings*, 1911, p. 754.

³²King, "Strike Memorandum."

³³Laurier Papers, Vol. 638, Cartwright to Hays (confidential), 27 July 1910.

³⁴*Ibid.*, Vol. 638, King to Laurier, 4 August 1910; ORC *Proceedings*, 1911, p. 754.

³⁵King, "Strike Memorandum."

³⁶*Ibid.*; Laurier Papers, Vol. 638, King to Laurier, 4 August 1910.

³⁷*Ibid.*; BRT *Proceedings*, 1910, "President's Annual Report, 1910," p. 355.

³⁸Laurier Papers, Vol. 638, King to Laurier, 4 August 1910.

³⁹*Ibid.*

⁴⁰*Ibid.*; also King Papers, J4, Vol. C13, file 81, pp. C9195-9196, scribbled memorandum in King's handwriting.

⁴¹Laurier Papers, Vol. 638, King to Laurier, 4 August 1910. For a copy of the agreement, see King Papers, J4, Vol. C13, file 81, pp. C9182-9183.

⁴²King had a stenographic record made of his part of the telephone conversations with the strike leaders. *Ibid.*, pp. C9187-9194.

⁴³Toronto *Globe*, 4 August 1910; PAC, J.W. Flavelle Papers, MG30, B4, Vol. 70, file 322(a), Flavelle to Arthur Meighen, 9 November 1921.

⁴⁴Stratford *Daily Herald*, 4 August 1910; ORC *Proceedings*, 1911, pp. 658, 716, 723.

⁴⁵ORC *Proceedings*, 1911, p. 677.

⁴⁶*Railroad Trainman*, September 1910, pp. 797-798; *Railway Conductor*, September 1910, pp. 717-718.

⁴⁷BRT *Proceedings*, 1911, "President's Annual Report, 1910," p. 358.

⁴⁸Laurier Papers, Vol. 639, Laurier to King, 11 August 1910 (confidential); King Papers, J4, Vol. C13, file 81, p. C9205, F.W. Giddens, "Memorandum. RE Grand Trunk Strike Settlement," 4 November 1910.

⁴⁹BRT *Proceedings*, 1911, "President's Annual Report, 1910," p. 359.

⁵⁰*Ibid.*, pp. 359-360; King Papers, J4, Vol. C13, file 81, pp. C9289-9291, King to Murdock, Berry and Hays, n.d.

⁵¹*Ibid.*, pp. C9294, 9298, "Minister of Labour to His Excellency, the Governor General in Council, 11 November 1910."

⁵²*Ibid.*, p. C9209, C.M.H. (Charles M. Hays), "Memo as given by Mr. Wainwright to Minister on November 14, 1910."

⁵³ORC *Proceedings*, 1911, p. 659; BRT *Proceedings*, 1911, "President's Annual Report, 1910," p. 363.

⁵⁴BRT *Proceedings*, 1911, "President's Annual Report, 1910," p. 363.

⁵⁵Laurier Papers, Vol. 655, Laurier to Hays, 13 December 1910, Hays to Laurier, 15 December 1910 (personal), and Laurier to Hays, 19 December 1910; King Papers, J4, Vol. C13, file 81, p. C9214, "Grand Trunk Railway Strike; Judge Barron's Report," n.d. (memorandum).

⁵⁶London, Ontario, *Industrial Banner*, January 1911.

⁵⁷Quoted in ORC *Proceedings*, 1911, pp. 703-704.

⁵⁸This circular is to be found in King Papers, J1, Vol. 18, pp. 16285-16287, and ORC *Proceedings*, 1911, pp. 679-680.

⁵⁹ORC *Proceedings*, 1911, pp. 741-742; King Papers, J1, Vol. 16, p. 14758, 'D.M.L.' "Re G.T.R. Trainmen Matter," Memorandum to Minister (private).

⁶⁰A full stenographic report of the convention debate on the Grand Trunk strike is in ORC *Proceedings*, 1911, pp. 647-763. Berry's election is reported in *ibid.*, pp. 1258-1262. The quotations are from pp. 662 and 1260.

⁶¹Girard, Kansas, *Appeal to Reason*, 8 April 1911.

⁶²BRT *Proceedings*, 1911, pp. 9-23, 57-58, 100-102, 171.

⁶³BRT *Proceedings*, 1911, "President's Annual Report, 1911," p. 67.

⁶⁴*Ibid.*, pp. 67-68; King Papers, J4, Vol. C13, file 81, p. C9214, King to Barron, 12 June 1911; p. C9247, "Summary (of cases investigated by Judge Barron)"; and J1, Vol. 16, pp. 14969-14970, Berry and Murdock to King, 30 August 1911.

⁶⁵On King's campaign problems in 1911, see Terence A. Crowley, "Mackenzie King and the 1911 Election," *Ontario History*, LXI (December, 1969), pp. 181-196.

⁶⁶ORC *Proceedings*, 1911, p. 743.

⁶⁷Moncton *Eastern Labor News*, 30 March 1912.

⁶⁸Robbins, *Railway Conductors*, pp. 46-53, 166.

⁶⁹BRT *Proceedings*, 1913, "President's Annual Report, 1911," p. 68.

⁷⁰*Ibid.*, p. 69.

⁷¹*Ibid.*

⁷²Robbins, *Railway Conductors*, p. 42.

⁷³BRT *Proceedings*, 1913, "President's Annual Report, 1911," p. 70.

⁷⁴*Ibid.*, pp. 71-72; BRT *Proceedings*, 1913, "President's Annual Report, 1912," p. 396.

⁷⁵BRT *Proceedings*, 1913, "President's Annual Report, 1911," p. 72.

⁷⁶*Ibid.*

⁷⁷*Ibid.*, p. 73.

⁷⁸*Ibid.*

⁷⁹*Ibid.*, pp. 74-77.

⁸⁰Canada, House of Commons, *Debates*, 1911-1912, pp. 6568-6569.

⁸¹*Ibid.*

⁸²Toronto *Globe*, 23 March 1912.

⁸³BRT *Proceedings*, 1913, "President's Annual Report, 1911," p. 78.

⁸⁴*Ibid.*

⁸⁵*Ibid.*; House of Commons, *Debates*, 1911-1912, pp. 6563-6574, 6578.

⁸⁶The *Toronto Globe* referred to the strike as "largely a victory for the company" on 20 March 1912.

⁸⁷BRT *Proceedings*, 1913, "President's Annual Report, 1912," p. 396; Crothers to Lee, 11 June 1912, in *ibid.*; *Railroad Trainman*, December 1912, p. 1080; House of Commons, *Debates*, 1920, p. 1128.

⁸⁸For a discussion of the pension question, see Tuck, "Canadian Railways," pp. 410-416.

⁸⁹See Warren R. Van Tine, *The Making of the Labor Bureaucrat; Union Leadership in the United States, 1870-1920* (Amherst, Mass., 1973), pp. 158-159.

⁹⁰See Department of Labour, *Report on Labour Organization in Canada*, 1913, pp. 53, 55.